



22 MAY 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Laleh Shayesteh
Exelixis, Inc.
Patent Dept.
170 Harbor Way
P.O. Box 511
South San Francisco, CA 94083-0511

In re Application of	:	
GENDREAU, et al.	:	
Application No.: 10/523,477	:	DECISION ON PETITION
PCT No.: PCT/US03/24560	:	
Int. Filing Date: 06 August 2003	:	UNDER 37 CFR 1.181
Priority Date: 07 August 2002	:	
Atty Docket No.: EX03-051C-US	:	
For: MAXS AS MODIFIERS OF THE AXIN	:	
PATHWAY AND METHODS OF USE	:	

This decision is in response to applicant's "Request For Corrected Filing Date" filed 31 October 2005. The request is being treated as a petition under 37 CFR 1.181. No petition fee is due.

Applicant indicates that the official filing receipt indicates a filing date of "31 March 2005." Applicant has included a copy of the stamped return postcard for the initial 35 U.S.C. 371 filing of 04 February 2005 and seeks this date as the filing date on the filing receipt.

Applicant is directed to the "Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495" mailed 04 August 2005. As shown on this document, the date appearing on the filing receipt as the "filing date" is the date on which the last of the 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) requirements has been received in the office. This has been properly indicated as 21 March 2005. The filing date of the application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).

For the reasons indicated above, applicant's petition under 37 CFR 1.181 filed 31 October 2005 is **DISMISSED as moot.**

This application is being returned to Art Unit 1642 for continued examination of the application.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459